ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

****

Cap. 95.

An Act for enlarging the Term and Powers of Two Acts of His preſent Majeſty, for repairing the Road from *Downham Market* to the *Queen's Head*, and from the *Chequer Inn* in *Downham Market* to the *Two Mile Cloſe*, in the Pariſh of *Barton*, in the County of *Norfolk*. [21ſt *May* 1813.]

WHEREAS an Act was paſſed in the Twelfth Year of the Reign 12 G. 3.
of His preſent Majeſty, for repairing and widening the Road
leading from the Eaſt End of the Bridge acroſs the River *Ouze*
in *Downham Market*, to the *Queen's Head*, and from the *Chequer Inn* in
Downham Market aforeſaid, to the Eaſt End of the *Two Mile Cloſe*, in the
Pariſh of *Barton*, and towards *Watton*, to a Place called *The Devil's Ditch*,
in the County of *Norfolk*; and for ſtopping up the Road leading from *Strad-*
ſet, through *Barton Layes*, towards *Watton*: And whereas another Act was
paſſed in the Thirty-ſecond Year of His ſaid Majeſty's Reign, intituled *An* 32 G. 3.
Act for continuing the Term, and altering and enlarging the Powers of an Act
paſſed in the Twelfth Year of the Reign of His preſent Majeſty, for repairing
and widening the Road leading from the Eaſt End of the Bridge acroſs the River
Ouze *in* Downham Market *to the* Queen's Head, *and from the* Chequer
Inn *in* Downham Market *aforeſaid, to the Eaſt End of the* Two Mile Cloſe

in the Parish of Barton, *and towards* Watton, *to a Place called* The Devil's Ditch, *in the County of* Norfolk; *and for stopping up the Road leading from* Stradset, *through* Barton Layes, *towards* Watton: And whereas the Term of the said several Acts is near expiring, and considerable Sums of Money have been borrowed, and are now due and owing, upon the Credit of the Tolls authorized to be collected upon the said Roads, by virtue of the said Acts; which Money cannot be paid off, and the said Roads effectually amended and kept in good Repair, unless the Term granted and continued by the said Acts is further continued: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Clauses, Powers, Authorities, Tolls, Trusts, Provisions, Directions, Rules, Exemptions, Penalties, Forfeitures, Payments, Remedies, Articles, Matters, and Things whatsoever therein respectively contained, and now in force (except such Parts of the same as relate to Exemptions from Stamp Duties, and such as are hereby varied or altered) shall be and continue in full force and effect, and, together with this present Act, shall be put in Execution for the several Purposes hereby and thereby intended, for and during the Term hereinafter mentioned, as fully and effectually, in all Respects, and to all Intents and Purposes whatever, as if the same were expressly repeated and re-enacted in the Body of this Act, subject to the Alterations and Additions herein contained; and which said Term hereby granted, shall be and is hereby declared to be subject and liable to the Payment of all Monies now due and owing on the Credit of the said recited Acts, or which shall or may hereafter be borrowed or become due on the Credit of the said recited Acts and this Act, and all Interest due and to become due for the same respectively.

Acts further continued.

II. And be it further enacted, That no Trustee shall have any Voice in the Election or Appointment of any Officer or Person to hold any Office or Place of Trust or Profit under the said Trustees, by whatsoever Name he shall be described or called, unless such Trustee shall have been present at One or more Meeting or Meetings of the said Trustees, within Three Years preceding the Death, Resignation, or Removal of the last Officer; or in case the Office shall be of new Appointment, then preceding the Meeting at which such new Appointment shall have been determined upon; and the Presence of such Trustee at such Meeting or Meetings as aforesaid, shall be ascertained by his Name appearing in the Book or Books kept for the Purpose of entering all Proceedings of the Trustees, as being present on the Day or Days of such Meeting.

No Trustee to vote in the Election of any Officer unless he shall have acted within a certain Period.

III. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of the said recited Acts or this Act, in the Name of their Clerk or Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, in the Name of their Clerk or Treasurer, shall abate, or be discontinued, by the Death or Removal of any such Clerk or Treasurer, nor by the Act of such Clerk or Treasurer, without the Consent of the Trustees, or any Five or more of them, but that the Clerk or Treasurer for the Time being to the said Trustees,

Trustees may sue or be sued in the Name of their Clerk or Treasurer.

tees, ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in every ſuch Action: Provided always, that every ſuch Clerk or Treaſurer in whoſe Name any Action or Suit ſhall be ſo commenced, proſecuted, or defended, ſhall be fully reimburſed and paid, out of the firſt Money to ariſe by virtue of the ſaid recited Acts and this Act, after ſuch Action or Suit ſhall be commenced or diſcontinued, all ſuch Coſts, Charges, Damages, and Expences, as by the Event, or in conſequence of any ſuch Action or Proceedings, he ſhall bear, pay, expend, or be put unto, or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant as aforeſaid.

Obliging the Collector of Tolls to fix up his Name.

IV. And be it further enacted, That all and every Toll Collector, appointed either by the ſaid Truſtees or by any Renter or Farmer of the ſaid Tolls authorized to be collected by this Act, or any Perſon demanding or taking any Toll payable by this Act, ſhall and he is hereby required on each and every Day previous to his entering on Duty for the Collection of the ſaid Tolls, to affix on a Board, in legible Characters, his Chriſtian and Surname, and let the ſame remain on the Frame of the Front Door, or in ſome conſpicuous Part of the Toll Houſe during the Time of his remaining on Duty to collect the ſaid Tolls; and in caſe ſuch Collector or Collectors, Perſon or Perſons, ſhall refuſe or neglect ſo to do, and being convicted thereof before ſome Juſtice of the Peace for the County of *Norfolk*, on the Oath of One credible Witneſs, which Oath any and every ſuch Juſtice is and are hereby authorized and required to adminiſter) he, ſhe, or they ſhall forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, and applied in ſuch and the ſame Manner as any Penalties or Forfeitures are directed to be levied, recovered, and applied, in and by the ſaid recited Acts or either of them.

Exemptions from Toll.

V. Provided always, and be it further enacted, That no Toll ſhall be demanded or taken under or by virtue of the ſaid recited Acts or this Act, of or from any Perſon or Perſons, for any Horſe or Horſes, or other Beaſt or Cattle, or for any Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Road lies; or with Seed for ſeeding the Ground; or Hay, Straw, or Corn in the Straw not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Out-houſes or Yards, or on the Lands of the Owners thereof; or for any Horſe, Beaſt, or other Cattle, or any Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Soil, or Compoſt of any Kind, to be employed in Huſbandry, or for manuring or improving Lands, or any other Thing employed in the Management of any Farm or Lands; or for any Horſes or other Beaſts going to or returning from Plough or Harrow, or to or from Paſture or Watering Place, or going to be or returning from being ſhoed or farried; or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*,

or any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die and be buried in any of the Pariſhes in which the ſaid Road lies; or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; or for any Horſes or Carriages, of whatever Deſcription employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for the Horſe or Horſes of any Officers or Soldiers on their March or on Duty, or for any Horſe or Horſes or other Beaſt, or any Cart, Carriage, or Waggon employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying any ſick, wounded, or diſabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, employed in carrying or conveying any Ordnance, or Barrack, or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning empty from having been ſo employed; or for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exerciſe, Inſpection, or Review, provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture, and Accoutrements, according to the Regulations of ſuch Corps at the Time of claiming the Exemption; or for Horſes, Carts, or Waggons, travelling with Vagrants ſent by legal Paſſes, or returning empty after having been only ſo employed; or for any Horſe or Horſes, Coaches or other Carriages, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Norfolk*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall by any fraudulent or colluſive Means whatſoever, claim or take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

VI. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majeſty Forces, or conveying any Ordnance, or Barrack, or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage, or the Horſe or Horſes drawing the ſame, while ſo employed, be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horſes or Oxen, but it ſhall be lawful for the Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage;

Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the said recited Acts contained to the contrary notwithstanding.

Application of Compensation where exceeding 200l.

VII. And be it further enacted, That if any Money shall be agreed or awarded to be paid, for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act or the said recited Acts, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited Acts and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said High Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited; or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall by Order of the said High Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so to be purchased under the Authority of this Act, in case such Purchase or Settlement was made.

Application where the Compensation does not exceed 200l. nor less than 20l.

VIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity

Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, ſo purchaſed, taken or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing the ſaid recited Acts and this Act, (ſuch Nomination and Approbation to be ſignified in Writing, under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Application where the Money is leſs than 20l.

IX. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, ſo purchaſed, taken or uſed, for the Purpoſes of this Act or the ſaid recited Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Title,

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank.

Subject to the Order of the Court of Chancery on Motion or Petition.

X. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded, for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act or the ſaid recited Acts, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees, or any Five or more of them; or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid High Court of Chancery, which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be, and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the

the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion of the Lands at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto.

XI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe, touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, Title, or Intereſts in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of this Act or the ſaid recited Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid High Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court, that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XII. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of this Act or the ſaid recited Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid High Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees out of the Monies to be received by virtue of this Act, or the ſaid recited Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Statute Work.

XIII. And be it further enacted, That ſo much of the ſaid recited Acts as relates to the Performance of Statute Labour on the ſaid Roads ſhall be and the ſame is hereby repealed; and that all Perſons who by Law are or ſhall be liable to do Statute Work, or who are or ſhall be chargeable towards

towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall and may be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Norfolk*, and they are hereby empowered and required, (upon Application made to them for that Purpoſe by the ſaid Truſtees, or by their Clerk or Surveyor by their Order), yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways, of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work, ſhall be by him or them paid to the ſaid Truſtees, or to their Treaſurer; and in order thereunto, it ſhall and may be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways, for every ſuch Pariſh or Place to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, (within Fourteen Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions, as is, are, or may be directed by any Law or Statute in Force or Effect for the Repair of the Public Highways; and out of ſuch Liſts ſuch Juſtices ſhall and may allot, appoint, and order, ſuch and ſo many of the Perſons who ſhall appear to be ſubject or liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads, as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt) and on ſuch Parts of the ſaid Roads, as the ſaid Truſtees or their Surveyor or Surveyors ſhall, from Time to Time, order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof, as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct, and in default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid (after Notice in Writing given to or left for him, her, or them at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, ſigned by the Surveyor or Surveyors to the ſaid Truſtees), ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force and Effect for the Repair of the Public Highways; and if any Perſon who

ſhall

ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads, all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

Truſtees may compound for Statute Work.

XIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Statute Work to be by them done on the ſaid Roads or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements or Hereditaments of and in all or any of the Pariſhes or Places in which the ſaid Roads are ſituate for a certain Sum of Money by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Roads; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees in advance, on or before the Thirtieth Day of *November* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

Penalty on damaging Cauſeways or Footpaths.

XV. And be it further enacted, That if any Perſon or Perſons ſhall ride upon any Cauſeway or Footpath now made or hereafter to be made on the Side of the ſaid Roads or any Part thereof, or ſhall drive any Horſe or other Cattle, or any Swine, or any Cart or other Carriage thereon, or ſhall wilfully cauſe any Damages whatſoever to be done thereto, every ſuch Perſon, for every ſuch Offence, ſhall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in ſuch and the ſame Manner as is directed for the Recovery of Penalties and Forfeitures in and by the ſaid recited Acts, or either of them.

Expences of Act how to be paid.

XVI. And be it further enacted, That all the Coſts, Charges, and Expences attending the ſoliciting, obtaining, and paſſing of this Act, and incident thereto, ſhall be paid and diſcharged out of the Firſt Monies collected or to be collected or borrowed or ariſe by virtue of the ſaid recited Acts or of this Act.

Public Act.

XVII. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

Continuance of Act.

XVIII. And be it further enacted, That this Act shall commence upon the passing thereof; and that the said recited Acts (subject to the Alterations and Amendments in this Act contained) and this Act, shall continue and be in force, and be executed thenceforth for and during the Residue now to come of the Term granted and continued by the said recited Acts; and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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